

HAMILTON COUNTY BOARD OF COMMISSIONERS
JUNE 24, 2002

The Hamilton County Board of Commissioners met on Monday, June 24, 2002 in the Commissioners Courtroom in the Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session from 12:20-1:05 pm. President Clark called the meeting to order at 1:10 pm. A quorum was declared present of Commissioner Sharon R. Clark, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

Approval of Minutes: (Tape 1, #434)

Dillinger motioned to approve the May 28, 2002 minutes. Holt seconded. Motion carried unanimously. Holt motioned to approve the June 10, 2002 minutes. Clark seconded. Holt and Clark approved. Dillinger abstained.

Executive Session Memoranda:

Holt motioned to approve the Executive Session Memoranda of June 10, 2002. Clark seconded. Holt and Clark approved. Dillinger abstained. Holt motioned to approve the Executive Session Memoranda of June 24, 2002. Dillinger seconded. Motion carried unanimously.

RFP Opening:

Stormwater Phase II Consulting Services:

Mr. Kenton Ward presented the Statement of Qualifications for the Stormwater Phase II Needs Analysis and Feasibility Study. Mr. Ward stated we received responses from Goode & Associates and Christopher Burke Engineering Limited. Mr. Ward requested acceptance of the RFP's and refer them to the Hamilton County Surveyor for review. Dillinger motioned to approve. Holt seconded. Motion carried unanimously. Mr. Ward stated he hopes to have a recommendation on July 8th.

Request to Purchase Vehicle:

Mr. Ward stated the 2002 Budget has two vehicles listed for replacement for the Surveyor's Office. Mr. Ward stated he has received quotes from Bill Estes, Tipton Ford Mercury and Don Hinds Ford. Don Hinds Ford has the lowest quote for a four-wheel drive Supercab F250 in the amount of \$24,370.00. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Plat Approvals

Centennial Townhomes, Building 12:

High Grove, Section 2:

Mr. Tim Knapp presented plats for Centennial Townhomes, Building 12 and High Grove, Section 2 for approval. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Public Comments - Dick Frost:

Mr. Dick Frost called point of order. Clark asked if Mr. Frost would be addressing an item on the agenda? Mr. Frost stated yes, the claim for Attorney, Michael A. Howard. Clark stated that issue is on at 3:45 pm. Mr. Frost appealed to the other commissioners if that is their favor, he is on the agenda to speak and he will not stay until the claims are brought up. Clark asked Mr. Frost if that is the item he wishes to address? Mr. Frost stated yes and another item, the Executive Session. Clark stated we have addressed that in previous meetings. Dillinger and Holt concurred with the chair that Mr. Frost may address the Board at 3:45 pm.

Highway Business: (Tape 1, #690)

Open Road Cut Permits:

Mr. Les Locke requested approval of Open Road Cut Permits: 1) RDCUT 2002-030 - The Snider Group Inc. at 1360' West of intersection of Towne Road and 106th Street for water main installation. 2) RDCUT 2002-034 - Wilson Water & Sewer Service at 10410 N. Delaware Street 1190' south of 106th Street to install city water. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested acceptance of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B-02-0054 - Western Surety Company Permit Bond No. 69339428 issued on behalf of Fall Creek Wesleyan Church in the sum of \$5,000 to expire May 21, 2003. 2) HCHD #B-02-0055 - Old Republic Surety Company Annual Permit Bond No. 1198730 issued on behalf of Earth Resources in the sum of \$25,000 to expire June 6, 2003. 3) HCHD #B-02-0057 - Travelers Casualty and Surety Company of America Performance Bond No. 103854303 issued on behalf of Rieth-Riley Construction Co., Inc. in the sum of \$1,796,180.43 for 146th Street Ramp from SR 431 Phase 1B to expire June 4, 2004. 4) HCHD #B-02-0058 - Travelers Casualty and Surety Company of America Payment Bond No. 103854303 issued on behalf of Rieth-Riley Construction Co., Inc. in the sum of \$1,796,180.43 for 146th Street Ramp from SR 431 Phase 1B to expire June 4, 2004. 5) HCHD #B-02-0059 - Capitol Indemnity Corporation Annual Permit Bond No. LP00786950 issued on behalf of One Source Underground, LLC in the sum of \$25,000 to expire June 10, 2003. 6) HCHD #B-02-0060 - Ohio Farmers Insurance Company Performance Bond No. 5887848 issued on behalf of Shelly and Sands, Inc. in the sum of \$758,228.38 for Resurface Contract 02-5, Various Roads in Noblesville and Jackson Townships to expire June 4, 2004. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested release of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B-98-0070 - Travelers Casualty & Surety Co., Bond #101 171 810 issued on behalf of Myers Construction Management for Sand Creek Estates for asphalt, curbs and street signs. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Agreements

Bridge #190 Supplemental Agreement No. 2:

Mr. Locke requested approval of Supplemental Agreement No. 2, HCHD #E-00-0015, for Bridge #190, Connecticut Avenue over Flatfork Creek with Floyd E. Burroughs & Associates, Inc. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Interchange Planning Services:

Mr. Locke requested approval of the Engineering Services Agreement, HCHD #E-02-0006, for Interchange Planning Services with American Consulting Engineers, Inc. for I-69 at SR 238, Olio Road, I-69 and Connecticut Avenue. This is to look at right-of-way for future transportation planning purposes. This agreement is in accordance with an Interlocal Agreement with Fishers and Noblesville. He will be bringing a traffic study agreement from A&F Engineering at the next meeting. This agreement is not to exceed \$71,120.00. Holt motioned to approve. Dillinger seconded. Clark asked where is this item in the budget? Mr. Locke stated it will be taken out of Contractual Services. The county's share is \$40,000. Clark stated she does not recall that we were doing this. Mr. Locke stated the Interlocal Agreement was signed by Commissioner's Holt and Clark on February 11, 2002. Commissioner Dillinger was absent. Dillinger and Holt approved. Clark abstained. Motion carries.

Structure #21029, 191st Street over Cool Creek:

Mr. Locke requested approval of the Engineering Agreement, HCHD #E-02-0007, for replacement of Structure No. 21029 carrying 191st Street over Cool Creek with United Consulting Engineers & Architects. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Utility Agreements

Bridge No. 135, River Road over Cicero Creek:

Mr. Locke requested approval of Utility Agreements for Bridge No. 135, River Road over Cicero Creek with Indianapolis Water Company, HCHD #M-02-0024; Ameritech, HCHD #M-02-0025; Vectren Energy, HCHD #M-02-0026; and Cinergy, HCHD #M-02-0027. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Bridge No. 237, Deer Ridge Drive over Mitchener Ditch:

Mr. Locke requested approval of Utility Agreements for Bridge No. 237, Deer Ridge Drive over Mitchener Ditch with Vectren Energy, HCHD #M-02-0028; Ameritech, HCHD #M-02-0029; Time Warner Cable, HCHD #M-02-0030; and PSI Energy, HCHD #M-02-0031. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Concurrence with Traffic Studies: (Tape 1, #919)

Mr. Locke requested approval of the List of Correspondence Concerning investigations of Requests for Signage on Hamilton County Roads. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Correspondence

Lowery Cemetery Damage:

Mr. Stevens presented the correspondence to Mr. Marion Hensley regarding his request for help with 136th Street and damage done to Lowery Cemetery. Mr. Stevens estimated costs to relocate 136th Street to the north would be \$250,000 (\$90,000 for right-of-way, \$150,000 for construction and \$10,000 for engineering services). Mr. Stevens' letter suggests a cost sharing plan with Fall Creek Township. Another option would be to accomplish a corridor study at this intersection so the Hamilton County Comprehensive Plan can be amended. Holt motioned to change the letter to state one option is to move the road and cost sharing and the other option would be to do the engineering and amend the Thoroughfare Plan. Dillinger and Clark agreed it needs to be addressed, but do not want to spend \$250,000. Dillinger seconded. Motion carried unanimously.

SR 238 Transfer - 146th Street Extension Proposal Letter to INDOT: (Tape 1, #1400)

Mr. Locke requested approval of the response letter to Mary Enright, INDOT, for SR 238 Transfer - 146th Street Extension Proposal. Dillinger motioned to approve. Holt seconded. Clark asked if this is going to cost Hamilton County over \$9 million over a period of years? Mr. Locke stated we are receiving \$9 million from the State from federal aid money. The project is approximately \$20 million. We are hoping to get about \$3.5 million in demonstration project money. In addition we will have to find other ways to finance the rest of the project. Clark asked if this was on our plate as we look at a road bond issue? Mr. Locke stated this is one of the items that was in the original bond issue. Clark stated the original bond issue was very expensive and we have begun to look at a smaller bond issue and she did not recall that this was part of it. Mr. Locke stated this was not part of what came back from County Council. Clark asked if she signs this will it move some of the other items out, that were part of that bond issue? Mr. Locke stated if you sign this it means that once these roads are brought up to date, by the State, they will become Hamilton County Roads. There is no commitment that we have to spend the federal aid money on 146th Street. Clark asked if this commits us to build 146th Street extension? Mr. Locke stated it does commit us to build it, but if we did not we would lose the \$9 million. Clark stated we would have gained considerable mileage to maintain? Mr. Locke stated approximately 4.5 miles. Clark stated considering that Clay Township pays 50% of all our bills and we have seen very little in road construction she has some concerns about signing this. Dillinger and Holt approved. Clark opposed. Motion carries.

Bid Award:

Bridge #99, Mill Creek over JH Leap Ditch:

Mr. Locke recommended awarding the bid for Bridge #99, Mill Creek over JH Leap Ditch, to EDSAM Construction as the lowest responsive bidder in the amount of \$314,092.87. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Field Drive Interlocal Agreement Amendment:

Mr. Michael Howard requested approval of the Second Amendment to the Interlocal Agreement between the City of Noblesville and Hamilton County for the Field Drive Bridge. The budget from the original agreement and subsequent agreement did not have a utility

relocation document, which was unknown at that time. A utility relocation agreement has been signed by the City of Noblesville and Hamilton County. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Request to Advertise:

Resurface Contracts 02-3 and 02-4:

Mr. Locke requested permission to advertise for Contract Resurface Project 02-3, Various Roads in Clay Township and Resurface Contract 02-4, Various Roads in Clay, Noblesville and Washington Townships. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

146th Street Project Update:

Mr. Locke gave an update on the 146th Street Project: Contract #1, Springmill Road to US 31, should be completed this week. Contract #2, SR 31 to Hazel Dell, should be completed approximately the second week of August. Contract #3, Hazel Dell to SR 37, should be completed the second week in July.

Clay Township Intersection Funding:

Mr. Locke stated he was unable to get the numbers together on funding for the Clay Township intersections. Mr. Locke stated he does not think it will be a problem, but they need to know the priority. Mr. Locke stated he will get the numbers to Clark this week. The question is the priority. Clark asked the Board if it is ok to move ahead on 106th and Springmill? Dillinger and Holt agreed.

Highway 2003 Budget: (Tape 1, #1696)

Mr. Stevens stated some of the items Clark asked about were total budget figures for certain projects: 131st Street and Boone County West Road, College Avenue from 106th Street and the Olio Road Project. As far as the budgeting, we do not have updated budget numbers. Mr. Stevens stated Clark has some questions on some line items where we had requested new line items for old projects, Mr. Stevens stated they are working with the Auditor's office to correct those errors. Clark stated she questions needing \$700,000 for 106th Street and College in the 2003 budget. Does that mean that intersection has gone up that much in cost? Mr. Locke stated that would be our matching share for the federal aid construction. Mr. Stevens stated that was programmed for next year all along. Mr. Locke stated it may be up approximately \$100,000 from the original because of the extensive sewer and drain work.

Clark called a break at 1:45 pm. Clark called the meeting back to order at 2:08 pm.

Attorney: (Tape 1, #1859)

Ordinance 6-24-02-A, Establishing a 146th Street Ramp Redevelopment Fund:

Mr. Howard requested approval of Ordinance 6-24-02-A, An Ordinance Establishing a 146th Street Ramp Redevelopment Fund. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Washington DC Lobbyist:

Mr. Howard will have the interlocal agreement for the Washington DC Lobbyist at the next meeting. He will be sending it to Fishers and Noblesville.

Interurban Trail Project:

Mr. Pat Musgrave, PO 55 McCordsville, Indiana, stated he is representing the Interurban Trail Group which is a group that is pushing for the establishment of the trail from Fort Harrison State Park to Mounds State Park in Anderson. This is a road or near a road facility. It is not a rails to trails project. We are asking the various governmental entities that they look in to their master plans or thoroughfare plans and add this trail to it. When roads are built this would be a requirement to build the interurban trail next to it. Between now and then we would mark the roads that it is the interurban trail. This has been fairly successful. Mr. Musgrave requested the Commissioners ask the Plan Department to have this added to the HCAT Plan, then to the Thoroughfare Plan and then eventually to Hamilton County's zoning. Holt motioned to refer this issue to the HCAT Committee and the Parks Department and request they get back to the Commissioners with their recommendation for inclusion of the trail in Hamilton County. Dillinger seconded. Mr. Swift stated Al Patterson was unable to attend today, but the Park Department has been made aware of this plan and gives it a favorable recommendation. Clark stated she thought 96th Street is part of the HCAT Plan. Mr. Musgrave stated the only part that is not part of the HCAT Plan is Cyntheanne Road and 101st Street. Holt amended his motion to remove the Parks Department from the motion and ask that HCAT review it and send their recommendation back to the Commissioners. Motion carried unanimously. Mr. Locke asked if there is a sign that is used throughout the project? Mr. Musgrave stated they have a logo and the Marion County MPO has designated that they will pay for the signs in their portion of the trail. We have offered that if the community wishes they will raise the funds for the signs. Mr. Musgrave asked the Commissioners to keep him informed of what is happening. They can communicate with Al Patterson and he will keep him informed.

Commissioner Committee Reports: (Tape 1, #2530)**Highway Trailer:**

Clark stated she has spoken with Steve Huntley, Noblesville Planning Department, and he has concurred that they would have no problem recommending to the BZA that we have a temporary permit for the Highway Trailer to be used at the Humane Society to help alleviate overcrowding. A temporary permit would be issued for one year. Clark asked if the Board concurs, they will hold the trailer out of the auction to use it for offices for the Humane Society if the BZA approves it in August. Dillinger and Holt concurred. Mr. Stevens stated there is a set of aluminum steps that provides access to the trailer, would you want the steps also? Clark stated yes. Mr. Howard stated who ever the petitioner is, it can not be him, needs to find out what the requirements are for the trailer. There will be skirting requirements, electrical, etc. Mr. Stevens recommended they go in the trailer before it is held from the auction. Clark stated she will speak with Ms. Ramsey about finding out the additional costs and requirements. It will be Ms. Ramsey's responsibility to call Mr. Stevens if she wants the trailer. If she does not call Mr. Stevens by Thursday the trailer will be put in the sale.

E-911 Forum:

Clark stated there was a county wide E-911 Forum. There was good attendance. The jurisdictions have requested information faxed to them. The E-911 Committee will meet next Monday and the questions will be sent to them Tuesday. The entities will be able to get back us by July 19th.

Joint Meeting:

Clark stated there will be a joint meeting of the Council and Commissioners on July 19, 2002 from 8:00 am to 12:00 noon. Ms. Robin Mills stated that will be held in the Hamilton County 4-H Fairgrounds in the Conference Room.

Nora Community Council Recognition:

Clark stated she was recognized by the Nora-Northside Community Council, Inc. for the taskforce work done on 96th Street.

Administrative Assistant:**White River Rescue 2000 Request:**

Mr. Swift stated at the last meeting the Commissioners tabled a letter to the White River Rescue 2000 requesting funds to remove the interurban piers in White River until the Hamilton County Historical Society could give their recommendation. Mr. Swift stated he spoke with Diane Nevitt and the Historical Society is agreeable to the removal of those piers as requested. Dillinger motioned to take the letter off the table. Holt seconded. Motion carried unanimously. Dillinger motioned to send the letter that has been requested by the White River Recovery Group. Clark stated she is more interested in conservation issues as a use of that money. It is her understanding that the clean-up money comes out of one fund. Dillinger stated he knows this is what this group wants to do with the money. This is the group that is responsible for it. Holt stated he commends them for going for the money. Conservation easements are more important than the piers. He does not know what the Historical Society's rationale was for not thinking that they have significance to the community. Holt stated it is a continuing reminder of how Indiana dealt with transportation needs. He likes those piers and suspects they will be used for a future walkway. No second. Motion dies.

Wage Determination Appointment - Fishers:

Mr. Swift stated the Town of Fishers has requested a Wage Determination Appointment. They have recommended David George. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

2003 Commissioner's Budget: (Tape 1, #3480)

Dillinger stated he has concerns on the travel and seminars budgets. Clark stated a long time ago he requested a form for anyone wishing to attend a seminar or training, but she has never seen it. Dillinger stated a form was implemented. Mr. Swift stated he has not seen a form. The idea was that after they attended the seminar they were to submit a summary of the seminar. Ms. Mills stated we still have the form. Clark asked the form to be brought to the next meeting.

Dillinger stated he would like to know where the people are going. Holt stated he does not disagree. Holt asked if today was the deadline for going through the budgets? Ms. Mills stated the deadline was Friday. Holt stated he has questions about the Animal Control budget. Mr. Swift stated there are things in the budget that are requests to be discussed. Clark asked when is the budget advertised? Ms. Mills stated the figures have to be to Mike Reuter in a couple of weeks. The deadline, by statute is June 30th. Clark stated so long as we do not go up we can work on these numbers before they go to the County Council. Clark asked when do they get copied to County Council. Ms. Mills stated by the end of July. We do extensive work on the budgets before they are given to the Council. Ms. Mills stated we will take what we have and if the Commissioners want cuts, a letter can be sent to Council with the cuts. Dillinger stated we have had the budgets available to us for awhile. Clark asked if we should come to the next meeting prepared to make cuts. Dillinger stated he would like to hear the rationale behind the some of these requests. Holt stated he would like to have a discussion on it, given what Robin has shared he would advocate that they turn in their budget 2 weeks from today and ask the Auditor to put up with us. Dillinger stated it is not fair to the Auditor's office. Ms. Mills stated her problem is that there are 60 different budgets, she is on a deadline, Mike Reuter has to have these numbers to get to the Council and the budgets have been in people's hands for over 3 weeks. Clark would prefer to turn the budgets in and then clean them up by letter. Holt asked if we have problem on all the budgets or just our own? Clark and Holt have trouble with the Commissioner budget. Dillinger has a problem with the ISS Budget, they have a huge travel budget. Ms. Mills stated that travel budget is so huge because she actually pays for individuals from other departments that attend seminars that are related to technical items. Clark stated the ISS budget was approved by the ISS Board.

Public Hearing: (Tape 2, #223)

2429 Burnham Walk Unsafe Home:

Mr. Kiphart stated he is appearing again on the home in Laurel Lakes Subdivision, 2429 Burnham Walk. Nothing has changed since the last meeting. A piece of wallboard has fallen off and it is fairly easy to get inside the building through a hole in the wall. Mr. Howard updated the Board. Since our last discussion Mr. Kiphart has sent the original enforcement order to the person whose name is listed on the tax records on this property which is Axel Essler and/or Preconstruction Services. Those entities are non-existent. The real parties of interest are Union Planters Bank and a group of lien holders. We have determined it is not in bankruptcy but it is a foreclosure action that has been pending. Under the unsafe building statute it defines a unsafe building as a building that is uninhabitable and not fit for habitation under the existing applicable codes and ordinances. The statute does recognize a building may be deemed unsafe under certain circumstances and also one of the remedies would be the demolish of the building. This is a situation that while the building may not be horribly unsafe, it is vacant and unsightly and it does not comply with the neighboring land uses as set out in the statute. They have prepared an enforcement order sent certified mail to Mr. Essler and Preconstruction and also by First Class mail to all of the parties listed in the litigation that are still parties. We have sought that the unsafe structure be repaired or demolished by July 11, 2002. If it is not repaired or demolished by July 11th it will be demolished and returned to grade no later than August 12, 2002. If the Commissioners affirm that order, we would intervene in the foreclosure action to have our costs declared superior to everyone under the unsafe building statute. Mr. Russell Jones, the Attorney

for Union Planters Bank, stated he has spoken to Mr. Howard regarding this issue. This faction of Union Planters Bank is the original Union Planters out of Tennessee before Union Planters came to Indianapolis. Union Planters of Tennessee wanted to start construction loans and obtained contractual rights of a local loan broker who started brokering the loans. There were 50 loans that went through the process before Union Planters came to Indianapolis and bought the assets of the merger. We have different factions of Union Planters that have been involved in this process. The better part of our claim is against the title insurance company who has made a number of errors including releasing a number of loan proceeds throughout the construction process without doing any searches. Based on the letters received from the title insurance carrier the loan proceeds were released to Mr. Essler on behalf of Preconstruction Services, Inc. Mr. Essler as President of Preconstruction Services, Inc. did not pay anybody used throughout the construction process. Several mechanics liens were filed and we were able to default out about 5 or 6 lien holders. Union Planters is the largest lien holder but under Indiana law we have to treat everybody exactly the same, which is where the problem is. Approximately one year ago we had some people who were interested in buying the residence but at that time he could not gain the cooperation of any of the other lien holders. With his suggestion, Mr. Howard has sent this letter to everybody else and we have the attention of the lien holders. He is meeting tomorrow with a gentleman who has an interest in acquiring the building. Everybody who has an interest, including Union Planters, is wanting to proceed forward with selling the property. Union Planters has a right to foreclose on the mortgage. Mr. Essler has filed personal bankruptcy and Preconstruction Services has filed corporate bankruptcy. Mr. Jones stated he believes our only chance to try and move everything along is to try to find a person to take over construction of the home and build it as originally intended. Mr. Howard suggested that the Board of Commissioners affirm the order. Because of the cost of demolition and potential value, if you did affirm the order and the repairs were not effected by the July date then we would be intervening in the foreclosure and asking that a demolition lien be declared superior. At anytime we would have the opportunity to stop and defer to them and let them move down the road. We are in the position now that at least we have the attention of all the parties. It would not be our intent to incur the costs to tear down the building until Superior 1 would affirm our lien for costs was superior and we have exhausted all opportunities to work it out under the proposal of Mr. Jones. Mr. Jones stated he would look for direction on regard to moving forward if we get an offer on the property. Mr. Howard proposed that if you get an offer and you have a schedule of what is going to happen and when, it be submitted to Mr. Kiphart and we would bring it to the Board of Commissioners and ask them to stay any further implementation as long as that procedure is in substantial compliance. Mr. Jones stated there is also an issue of real estate taxes. Dillinger motioned to affirm Mr. Kiphart's order. Holt seconded. Motion carried unanimously.

10531 Woodland Drive Vacated Home:

Mr. Kiphart presented pictures of a home at 10531 Woodland Drive in Clay Township which has been vacated. The home needs a lock for a gate to the pool and to install some kind of lock on a sliding glass door. Letters have been sent via First Class mail and Registered Return Receipt Mail to the property owner of record. The letters have been returned. Mr. Kiphart requested approval to install the locks. He has money in his budget to do that. Dillinger motioned to approve. Holt seconded. Clark asked if the homeowner would reimburse the county? Mr. Kiphart stated a lien would be filed against the property. Motion carried unanimously.

GIS Software Needs Analysis:

Mr. Larry Stout stated they have asked Woolpert to perform a GIS Software Needs analysis for us. They have quoted us \$25,000 which is a reasonable amount. Mr. Stout requested approval of Addendum #1 with Woolpert LLP. Dillinger motioned to approve. Holt seconded. Holt asked why do we need this report? Mr. Stout stated we want someone to look at the possibility of switching the software we use with GIS to more functionality. Holt asked if the current software comply with what is was represented to do? Mr. Stout stated yes. Holt stated these are new needs that have been identified for GIS other than those envisioned when we implemented GIS? Mr. Stout stated yes. Motion carried unanimously.

Auditor: (Tape 2, #900)

2003 Budgets:

Ms. Robin Mills stated the budgets went to the departments May 3, 2002. The letter sent with the budgets stated the departments needed to send their budgets to Mr. Swift for inclusion in the Commissioner's budget by June 12, 2002.

4-H County Fair Tent Certificate of Insurance:

Ms. Mills stated the County received a letter from the Hamilton County 4-H Council requesting a Certificate of Insurance for the Government Tent at the 4-H Grounds. Ms. Mills requested approval to send a letter stating this Certificate will cover all the participants in the tent. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Weights & Measures Boone County Interlocal Agreement:

Ms. Mills stated she received a call from the Boone County Auditor requesting the signed Weights & Measures Interlocal Agreement for 2002. Dillinger asked if the deal is the same in 2002? Ms. Mills stated we receive \$17,000 from Boone County. We need to have the 2002 agreement signed, it is up to the Commissioners for 2003. Clark stated we should wait for the 2003 Interlocal Agreement until we get a response from County Council. Clark motioned to the 2002 Interlocal Agreement. Holt seconded. Clark and Holt approved. Dillinger opposed. Motion carries. Holt asked why would we not say what we think should happen with the 2003 agreement. Holt stated we need to look at the Weights & Measures budget and figure out what percentage is for the Boone County population and send it back with what we think the 2003 number should be. Holt motioned to get the 2000 Census figures for Boone County and ask Mr. Swift to draft a letter for the signature of our President with their percentage of the proposed 2003 Budget with a new Interlocal Agreement contingent on Council funding. Clark seconded. Motion carried unanimously.

2003 Holiday Calendar & 2003 Commissioner Meeting Schedule:

Dillinger motioned to approve the 2003 Holiday Calendar and the 2003 Board of Commissioners meeting schedule. Clark seconded. Holt stated he will not be here for the October 27, 2003 meeting. Motion carried unanimously.

Ordinance Codification:

Ms. Mills asked Mr. Howard where the Ordinance Codification was? Mr. Howard stated it is in the mail.

Credit Card for County Auditor's Office: (Tape 2, #1219)

Ms. Mills requested approval for a credit card for the Auditor's office. Holt motioned to approve. Dillinger seconded. Ms. BJ Casali stated the credit card she obtained for her office would go against her personal credit rating and she decided not to pursue the credit card. Ms. Mills stated it is a hardship to ask her employees to put travel expenses on their personal credit cards. By statute and State Board of Accounts will have to approve her office getting a credit card. Clark asked if this is for just one department? Ms. Mills stated yes, if she gets this for her, nobody else would use it. Each department would have to get their own credit card. Clark stated we need to be fair and consistent with all the departments. Holt stated if every department comes in and wants a credit card, we have opened Pandora's Box. Ms. Mills stated also, any online orders require a credit card for the order to be placed. Dillinger and Clark approved. Holt opposed. Motion carries. Ms. Mills will prepare the resolution for Mr. Howard to review for signing at the next meeting.

Acceptance of Bonds/Letters of Credit - Drainage Board:

Ms. Mills requested acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-2002-00316 - Gulf Insurance Company Subdivision Performance Bond No. B21847255 for Lakes of Hayden Run Sec. 1 for Storm Sewers, Erosion Control, Monuments and Markers in the amount of \$333,798.53. 2) HCDB-2002-00317 - Gulf Insurance Company Subdivision Bond No. B21856934 for Ashfield Estates for Monuments and Markers in the amount of \$219,400. 3) HCDB-2002-00318 - Gulf Insurance Company Subdivision Bond No. B21856935 for Ashfield Estates Storm Sewers and Erosion Control in the amount of \$219,400. 4) HCDB-2002-00325 - Heartland Bank Irrevocable Commercial Letter of Credit no. 02500 for the reconstruction of the Kinniman Drain across the Vermeer site in the amount of \$65,000. 5) HCDB-2002-00325A - Heartland Bank Irrevocable Commercial Letter of Credit No. 02500 for the reconstruction of the Kinniman Drain across the Vermeer site in the amount of \$65,000 (amendment adding name of the drain to the original surety.) Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Drainage Board:

Ms. Mills requested release of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-B980014 - Frontier Insurance Company Subdivision Performance Bond No. 120898 for Waldron Road Section 4 Storm Sewer, SSD and Erosion Control in the amount of \$15,900. 2) HCDB-B980014 - Frontier Insurance Company Subdivision Performance Bond No. 120898 for Waldron Road Section 4 Storm Sewer, SSD and Erosion Control in the amount of \$15,900 (rider changing the amount of surety from \$15,900 to \$27,950 and adding the cost of the pond construction to the Surety). Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Liability Trust Claim:

Ms. Mills requested approval of a Liability Trust Claim payable to Firestone Tire & Service Centers in the amount of \$218.73. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Clerk of the Circuit Court Monthly Report:

Ms. Mills requested acceptance of the Monthly Report from the Clerk of the Circuit Court for May 2002. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Payroll Claims:

Ms. Mills requested approval of Payroll Claims for the period of May 25, 2002 thru June 8, 2002 paid on June 21, 2002. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Vendor Claims:

Ms. Mills requested approval of Vendor Claims to be paid June 25, 2002. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

2003 Commissioners Budget:

Holt motioned to table our budget until the next meeting. Clark seconded. Clark and Holt approved. Dillinger opposed.

Dillinger motioned to adjourn the meeting. Holt seconded. Motion carried unanimously.

Commissioners Correspondence

INDOT Traffic Controls for SR 32
SR 37 & 206th Street Notice of Project Cancellation from INDOT
IDEM Notice of Sewer Permit Applications:
Brooks Landing, Section Two
Centennial, Section 7 - Westfield
Ashwood, Sections 3 & 4 - Fishers
Meadow Brook Village, Section 2 - Fishers
Amli Old Town at Carmel - Carmel
Hamilton Mills Main Extension - Fishers
Hamilton Crossing, Building #5 - Carmel
The Townhomes at Hazel Dell - Carmel
IDEM Notice of Public Comment for E&B Paving, Inc.
IDEM Notice of Sewer Permit Application Appeal Rights:
Parkside Drive, Phase Five - Fishers
Certificate of Liability Insurance:
Time Warner Entertainment

Present

Sharon R. Clark, Commissioner

Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Robin M. Mills, Auditor
Kim Rauch, Executive Secretary to Auditor
Fred Swift, Administrative Assistant to Commissioners
Michael A. Howard, Attorney
Wayne A. Farley, Sheriff's Deputy
Tom K. Stevens, Highway Director
Les Locke, Highway Engineer
Virginia Hughes, Administrative Assistant to Highway Engineer
Kathy Howard, Highway Department
Dave Lucas, Highway Inspector
Robert Chadwell, Highway Inspector
Mark Fisher, Highway Technical Engineer
Christopher Burt, Highway Staff Engineer
Tim Knapp, Highway Right-of-Way Specialist
Mike McBride, Small Structure Staff Engineer
Dick Frost, Observe Proceedings and Public Comments
Kate Lewis, Ledger
Jerry Larrison, Beam Longest and Neff
Kent Ward, Surveyor
Floyd Burroughs, Floyd Burroughs & Associates
Becki Wise, USI
Pat Musgrave, Interurban Trail
Chuck Kiphart, Plan Commission
Russell Jones, Union Planters Bank
Larry Stout, GIS Manager
Scott Warner, Buildings and Grounds
BJ Casali, ISSD

APPROVED

HAMILTON

COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor